

Application No.: 10/553,613  
Amendment Dated: December 12, 2008  
Reply to Office Action of: September 23, 2008

MAT-8702US

**Remarks/Arguments:**

Claims 1-8 are pending in the above-identified application.

Claims 1-8 were rejected under 35 U.S.C. § 103 (a) as being unpatentable over U.S. patent publication no. 2003/0005443 to Axelsson et al. in view of U.S. patent no. 5,585,865 to Amano et al. It is respectfully submitted, however, that the claims are now patentable over the art of record for the reasons set forth below.

The rejection of claim 4 is respectfully traversed. Applicant's invention, as recited by claim 4, includes features which are neither disclosed nor suggested by the art of record, namely:

... **displaying a remote controller operation guide** for selecting either the recommended program or the other program by using a remote controller **simultaneously with the recommended program and the other program.** (Emphasis added).

The picture receiver of Applicant's exemplary embodiment **simultaneously displays** (1) a remote controller operation guide 304, (2) a recommended program 302 and (3) another program (i.e. a program the user was already viewing) 301 (Fig. 3).

The Office Action admits that Axelsson et al. does not disclose or suggest a picture display unit which displays a remote controller operation guide simultaneously with the recommended program and the other program. (Page 3, last line to page 4, line 2). The Office Action argues, however, that Amano et al. discloses these features. (Page 5, lines 6-10).

Amano et al. discloses a broadcast receiver which selects programs by genre and past viewing habits. With respect to past viewing habits, the receiver includes a frequency memory 19 which stores data about programs which the user has viewed in the past and about genres which the user has selected to view in the past. (Col. 4, lines 63-65). "A channel frequently viewed within, for example, one week before in the generally same time zone, or period, is read from the frequency memory 19 and selected, or tuned in, automatically...." (Col. 5, lines 57-64). With respect to selecting

programs by genre, the user may also use a remote controller to select a genre of programs the user wishes to view. (Col. 6, line 3). If programming of that genre is only available at a **future time**, the display displays a message on the screen indicating when the programming of that genre will be available. (Col. 6, line 64 through col. 7, line 23 and FIG. 4). For example, as shown at Fig. 4 of Amano et al., the message "A Baseball game will start 10 minutes later" in FIG. 4 of Amano may be displayed.

The Office Action argues that the message displayed at Fig. 4 of Amano et al. is the same as Applicant's claimed "remote controller operation guide." As shown at Fig. 4 of Amano et al., however, only the current program and the message are displayed simultaneously. That is, the recommended program is not displayed simultaneously with the message and the current program. Although Amano indicates that the recommended program will be displayed **in the future**, Amano et al. does not disclose or suggest that the current program, the recommended program and the message will all be displayed simultaneously. Thus, Amano et al. does not disclose or suggest "**displaying a remote controller operation guide ... simultaneously with the recommended program and the other program,**" as recited in claim 4.

That is, Amano et al. does not make up for the deficiencies which are not disclosed by Axelsson et al. Accordingly, neither Axelsson et al., Amano et al, nor their combination disclose or suggest the features of Applicant's claim 4.

Thus, claim 4 is allowable over the art of record. Claims 5-6 and 8 depend from claim 4. Accordingly, claims 5-6 and 8 are also allowable over the art of record.

Claim 1, while not identical to claim 4, includes features similar to those set forth above with regard to claim 4. Thus, claim 1 is also allowable over the art of record for reasons similar to those set forth above with regard to claim 4.

Claim 1 also includes patentable features in addition to the features similar to those set forth above with regard to claim 4, namely:

... the first information indicates **a first key of the remote controller,**

the second information indicates **a second key of the remote controller**,

when **the first key** is pressed, the recommended program is displayed and the other program is not displayed, and

when **the second key** is pressed, the other program is displayed and the recommended program is not displayed. (Emphasis added).

Basis for these amendments may be found, for example, in the originally filed application at page 7, lines 12-25, and Figure 3.

As described above, the picture receiver of Applicant's exemplary embodiment simultaneously displays a remote controller operation guide 304, a recommended program 302 and another program (i.e. a program the user was already viewing) 301 (Fig. 3). As shown in Fig. 3, the remote controller operation guide 304 may, for example, display "Decision:" Recommended program (i.e. first information) and "Return:" Currently Viewed Program (i.e. second information). That is, the first information may indicate a first key (i.e. Decision key) of the remote controller and the second information may indicate a second key (i.e. Return key) of the remote controller. Thus, claim 1 has been amended to recite "... the first information indicates a first key of the remote controller, the second information indicates a second key of the remote controller ..."

If the user selects the recommended program by using remote controller 106, or pushing the "decision" key (Yes in S206), then picture control unit 104 may shift the screen from two-picture mode to one-picture mode and shift the screen to recommended program viewing mode. Thus, claim 1 has been amended to recite "... when the first key is pressed, the recommended program is displayed and the other program is not displayed ..." Alternatively, if the user selects the currently viewing program by using remote controller 106, or pushing the "return" key (No in S206, Yes in S208), picture control unit 104 may continue the mode of viewing on the channel currently viewed. Thus, claim 1 has been amended to recite "... when the second key is pressed, the other program is displayed and the recommended program is not displayed."

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The Office Action argues that the message displayed at Fig. 4 of Amano et al. is the same as Applicant's claimed "remote controller operation guide." The message, however, only discloses when a future program will start. Amano et al. does not disclose or suggest a remote controller operation guide **indicating keys of a remote controller**. Thus, Amano et al. does not disclose or suggest ... the first information indicates **a first key of the remote controller**, the second information indicates **a second key of the remote controller**, as recited in claim 1. That is, Amano et al. does not make up for the deficiencies which are not disclosed by Axelsson et al. Accordingly, neither Axelsson et al., Amano et al, nor their combination disclose or suggest the features of Applicant's claim 1.

Thus, claim 1 is allowable over the art of record. Claims 2-3 and 7 depend from claim 1. Accordingly, claims 2-3 and 7 are also allowable over the art of record.

In view of the amendments and arguments set forth above, the above-identified application is in condition for allowance which action is respectfully requested.

Respectfully submitted,

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